

BORA LASKIN LAW LIBRARY



3 1761 10631603 7

ADVANCED ADMINISTRATIVE LAW

Professor R.C.B. Risk

Volume 3

1986 - 87

Faculty of Law  
University of Toronto

Storage  
KF  
5402  
A4  
R57  
1987  
v.3

LAW LIBRARY

MAR 19 1987

FACULTY OF LAW  
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY  
UNIVERSITY OF TORONTO


ADVANCED ADMINISTRATIVE LAW

Professor R.C.B. Risk

Volume 3

1986 - 87

Faculty of Law  
University of Toronto



Digitized by the Internet Archive  
in 2018 with funding from  
University of Toronto

<https://archive.org/details/advancedadminist03risk>

## ADVANCED ADMINISTRATIVE LAW

### PART TWO: THE JUSTIFICATIONS FOR PROCEDURAL RIGHTS

#### Section 2 The Charter and Procedures

REFERENCE RE SECTION 94(2)...	1
TREMBLAY SECTION 7 OF THE CHARTER...	15
WILLIS ADMINISTRATIVE LAW AND THE B.N.A. ACT	19
JONES v THE QUEEN	22
MASHAW DUE PROCESS IN THE ADMINISTRATIVE STATE	32
MULLAN JUDICIAL DEFERENCE... IN THE AGE OF THE CHARTER	34

### PART THREE REVIEW OF JURISDICTION AND ERRORS OF LAW

#### Section One: Recent Discussions of Interpretation

LEVINSON LAW AS LITERATURE	41
FISS OBJECTIVITY AND INTERPRETATION	50
FISH FISH v. FISH	59
EGGLETON LITERARY THEORY	68
DWORKIN LAW AS INTERPRETATION	71
GREY SUPPLEMENTING THE CONSTITUTION	81

#### Section Two American Doctrine About Review of Errors of Law

PIERCE, SHAPIRO and VERKUIL ADMINISTRATIVE LAW...	91
CHEVRON USA v NATURAL RESOURCES DEFENSE COUNCIL	100
CITIZENS TO PRESERVE OVERTON PARK v. VOLPE	104

#### Section Three The Canadian Doctrine Revisited

CUPE	110
SYNDICAT DES EMPLOYES DE PRODUCTION...	114

#### Section Four A Search for General Principles

DIVER STATUTORY INTERPRETATION...	115
-----------------------------------	-----

#### Part Five Fundamental Justice Revisited

### PART FOUR THE ULTIMATE COHERENCE OF REVIEW

McCAUSLAN ADMINISTRATIVE LAW, COLLECTIVE CONSUMPTION	132
HUTCHISON THE RISE AND RUSE...	142

